HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 23531 OF 2006

DATED: 22.2.2007

Between:

T.Reshma and another

.Petitioners

and

Life Insurance corporation of India, Saifabad, Hyderabad and another

…Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.23531 OF 2006

ORAL ORDER:

The first petitioner along with her minor daughter one Baby Indu earlier filed writ petition No.13829 of 2005 against the respondents herein and the 2nd petitioner apprehending that the 2nd petitioner would withdraw the entire amounts under Life Insurance Policy Nos.681563146,681563147 and 682154759 of late Sri T.Srinivas, who happened to be the husband of the 1st petitioner and the son of the 2nd petitioner. By the judgment dated.28-06-2005 the writ petition was disposed of directing the respondent Nos.1 and 2 to issue a notice to the petitioners and to give an opportunity to them to produce a succession certificate in support of their claim, before disbursing the amounts due, if any, under the three policies taken out by late Sri T.Srinivas in favour of the 2nd petitioner herein who was the nominee. The petitioners were also granted liberty to obtain the necessary succession certificate expeditiously and approach the Life Insurance Corporation (LIC) for an appropriate decision.

Instead of obtaining a succession certificate, the petitioners hit upon the devise of entering into a family arrangement and again petitioning the respondents for release of the policy amounts in favour of the 2nd petitioner. Apprehending that such a course of action would tantamount to transgression of the judgment of this Court in W.P.No.13829 of 2005, the

respondents have declined to release the amounts in favour of the 2nd petitioner and have called upon the petitioners to obtain a succession certificate as per the directions of this Court in W.P.No.13829 of 2005. Aggrieved thereby, the writ petition is filed.

Needless to mention that in view of the judgment of this Court inter parties-the petitioners are required to obtain a succession certificate. No relief as sought in the writ petition could be granted.

Accordingly the writ petition is dismissed with liberty to the petitioners to take steps to obtain a succession certificate. In the circumstances there shall be no order as to costs.

GODA RAGHURAM,J

22nd FEBRUARY,2007

*TSNR